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THE YEAR BOOKS. By William Craddock Bolland. Cambridge, England: University Press. 1921. pp. xi, 84.

This little volume is so interesting that few readers with scholarly tastes will be able to lay it down before reaching the last page. The author writes from fulness of knowledge, for he is the editor of the Year Book Series of the Selden Society; and in introductions to volumes of that series he has already had occasion to give much of the matter which he has recently used in lectures delivered at the request of the Faculty of Laws of the University of London and which he has here presented to a larger public.

The volume is composed of three lectures. The first explains what the Year Books are, the mediaeval French in which they are written, the manuscripts, and the author's persuasive theory of the purpose for which they were compiled. The second explains the difference between the Plea Rolls and the Year Books, founds upon those differences a strong argument showing that the Year Book manuscripts were in no sense official but were a private and monetary enterprise, and describes the printed editions. The third presents the recently discovered proofs that Justices in Eyre exercised what may well be termed an equitable jurisdiction, and then gives in paraphrase Year Book episodes of which Bereford, C. J., is often the hero.

The author's intention is to induce the reader to examine the Year Books for himself. He has given matter admirably adapted to that end and to the beginner's needs. Doubtless the next step for the ambitious reader is to attack a Year Book for himself, preferably the first volume in the Selden Society's Year Book Series, as that is the volume containing Maitland's introduction to the grammar of the Year Book French. After reading Maitland's introduction and some of the cases as translated and edited by him, the reader will be in a position to appreciate the introductions by Maitland, Turner, and Bolland to other volumes in that series and also the prefaces by Horwood and Pike to Year Books in the Rolls Series, and then to read this little volume again.

Even a person who is not a beginner will be glad to be reminded again of the author's theory,¹ to which allusion has already been made, that the Year Books were meant to aid lawyers in framing their pleadings, and hence were devoted chiefly to reporting the discussions between counsel and judges of the oral pleadings experimentally suggested and finally withdrawn or amended or, so to speak, filed. That is an interesting explanation of the disappointing fact that usually the Year Book stops without letting the reader know the ultimate result of the litigation.

The other point upon which even an expert in the history of law will welcome the author's views is the one regarding the *quasi*-equitable power which in early days was exercised temporarily by Justices in Eyre. It was about ten years ago that the author described this procedure in his introduction to the second volume of the *Eyre of Kent, 6-7 Edward II*, in the Selden Society's Year Book Series; and later his *Select Bills in Eyre, 1292-1333*, published by the Selden Society, gave additional material. The subject was presented in 1913 to the International Congress of Historical Studies by Sir Frederick Pollock, in a paper on "The Transformation of Equity," now accessible in a volume of *Essays in Legal History*, edited by Sir Paul Vinogradoff; but apparently bills in Eyre have not yet found adequate place either in the histories of English law or in the discussions of persons interested in devising ways in which business men and the poor may attain justice without pleadings, without rules of evidence, without delay, and without lawyers. Surely there are many persons who should read the author's brief account² of the unsuccessful attempt made by the idealists of long ago.

¹ See pp. 17-21, 26, 35-42.

² See pp. 56-59.

There is no doubt at all that the author is right in saying that the Year Books have been too much neglected by both historians and lawyers. He makes a slight mistake, however, in saying that "Even the *Encyclopaedia Britannica* itself, now in its eleventh edition, knows nothing about them, has never heard of them."³ Whatever may be true of earlier editions, the article on English Law in the tenth edition⁴ gives about ten lines to the Year Books; and the passage is repeated almost verbatim in the eleventh edition.⁵ The articles in question were written by Maitland; and Maitland would be the first to forgive the failure to recall that brief, though adequate, passage, and to thank the author for showing so skilfully what the Year Books are and how well worth while it is to become acquainted with them.

EUGENE WAMBAUGH.

THE PREPARATION OF CONTRACTS AND CONVEYANCES WITH FORMS AND PROBLEMS. By Henry Winthrop Ballantine. 8vo. pp. vi, 227. New York: The MacMillan Company. 1921.

This little volume, which makes no pretence of being exhaustive, is full of good advice for the lawyer in chamber practice. It contains many practical suggestions and some forms for the preparation of legal documents by law students and lawyers. It covers contracts in general briefly, and then contracts of employment, of building and construction, and for the sale of land (30 pages are devoted to the latter); negotiable instruments; powers of attorney; real estate and chattel mortgages; leases; articles of partnership; organization of corporations, and issue of securities; business trusts; wills; and abstracts of title.

The scheme of each division is to present very briefly the elements of the law, to outline the essential points to be considered in drawing the instrument, to suggest supposititious cases, and finally to give a few simple forms. There are useful references to cases, form books, and articles.

A few chapters deal inadequately with the matter treated. But this must be so necessarily in a book of this design with respect to corporation papers (19 pages) and articles of partnership (8 pages), which perhaps do not belong here at all and are merely given to throw the other matter into proper setting or to give the lawyer a few broad lines on which to proceed. The suggestions actually contained in these short divisions, however, are admirable.

We are particularly impressed with the chapter (30 pages) on Wills. After a short statement of the advantages of making a will, the author deals with the general plan of a will from the point of view of the testator's family and the state of his property. Cautions in regard to the avoidance of the danger of the Rule in Shelley's case; the relative merits of vested or of contingent remainders, follow, *etc.* Mr. Ballantine, for instance, points out the desirability of vested remainders to children in Illinois in preference to contingent remainders in view of the tax on contingent interests at the highest possible rate. He wisely advises the deposit of the will with the executor or the lawyer who is to have charge of it. The legal adviser should have no false modesty in this regard.

The chapter on examination of abstracts of title is too short but contains a useful skeleton of such abstract.

We know of no guide exactly like this useful little volume, which we are glad to commend.

J. W.

³ See p. 1.

⁴ See vol. 28, p. 249.

⁵ See vol. 9, p. 602.